



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1470  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/908,947	07/18/2001	Michael Kirkwood	50325-0529 (3858)	1924

29989 7590 01/18/2006

HICKMAN PALERMO TRUONG & BECKER, LLP  
2055 GATEWAY PLACE  
SUITE 550  
SAN JOSE, CA 95110

EXAMINER

TO, BAOQUOC N

ART UNIT PAPER NUMBER

2162

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/908,947	<b>Applicant(s)</b> KIRKWOOD ET AL.	
	<b>Examiner</b> Baoquoc N. To	<b>Art Unit</b> 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,6-12,16-22,26-32 and 36-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6-12,16-22,26-32 and 36-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/15,10/11 2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1, 12, 22 and 32 are amended and claims 2-3, 13-14, 23-24 and 33-34 are canceled in the amendment filed on 10/29/2006. Claims 1, 5-12, 16-22, 26-32 and 36-41 are pending in this application.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 07/15/2005 and 10/11/2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Response to Arguments***

3. Applicant's arguments with respect to claim 1, 12, 22 and 32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 5-12, 16-22, 26-32 and 36-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Hennessey et al. (US. Patent No. 6,360,126 B1).

As to claims 1, 12, 22 and 32, Hennessey teaches a method of responding to a request for data about an enterprise, the method comprising the steps of:

storing a plurality of names for a single entity associated with the enterprise as a first plurality of corresponding concepts in a database of concepts and relationships among concepts, which database describes a plurality of entities associated with the enterprise, wherein each name of the plurality of names is associated with a particular concept of the first plurality of corresponding concepts (each of matter, liquid, ink, pencils, fine paintbrushes, chalk, charcoal, or laser printer are concepts stored in the database) (col. 9, lines 39-48);

designating a first concept of the first plurality of corresponding concepts as a normative concept, wherein the normative concept is used to relate the single entity to other entities of the enterprise (matter is the normative concept) (col. 9, lines 39-48);

storing in the database a first relationship of a first relationship type, the first relationship defined for the first concept and an alternative concept of the first plurality of corresponding concepts (matter is in relationship with pencils, fine paintbrushes, chalk, charcoal, or laser printer) (col. 9, lines 39-48);

storing in the database a second relationship of a second relationship type between the first concept and a second concept not among the first plurality of corresponding concepts, wherein the second concept is different than the first concept (relationship between link to liquid and liquid to matter, these two relationship are

Art Unit: 2162

different between matter with one these pencils, fine paintbrushes, chalk, charcoal, or laser printer) (col. 9, lines 39-48);

receiving a request including data indicating a particular name of the plurality of names (user seeking alternative to a ballpoint pen) (col. 9, lines 40-41), wherein the request does not include data indicating a first name corresponding to the first concept (ballpoint pen is the pacific name for a pen which does not including data corresponding to the matter) (col. 9, lines 39-48), wherein:

the particular name corresponds to a particular alternative concept of the first plurality of corresponding concepts (ballpoint pen is the pacific name in the plurality of pens) (col. 9, lines 39-48); and

the database does not include a relationship defined for the second concept and the particular alternative concept (there is not relationship between ink to liquid and liquid to matter and matter with one of these pencils, fine paintbrushes, chalk, charcoal, or laser printer) (col. 9, lines 39-48); and

in response to receiving the request, sending a response including content of a file that is associated in the database with the second concept (the alternative retrieval item is one of these pencils, fine paintbrushes, chalk, charcoal, or laser printer which is an alternative to ballpoint pen, is also the second concept) (col. 9, lines 39-48).

As to claims 5, 16, 26 and 36, Hennessey teaches the method recited in claim 1, wherein the plurality of names include at least one of a synonym for the first name corresponding to the first concept (ink and liquid are synonym under matter) (col. 9,

Art Unit: 2162

lines 39-48), an acronym for the first name, and a translation of the first name into a different language than a language of the first time.

As to claims 6, 17, 27 and 37, Hennessey teach the method recited in claim 1, wherein the first relationship include an attribute indicating the alternative concept is one of a synonym for the first concept (pencils, fine paintbrushes, chalk, charcoal, or laser printer are synonym under matter) (col. 9, lines 39-48), an acronym for the first concept, and a translation into different language than a language of the first name corresponding to the first concept.

As to claims 7, 8, 28 and 38, Hennessey teaches the method recited in claim 5, wherein the plurality of names includes the synonym for the first name, and wherein the synonym for the first name includes a misspelling of the first name (pencils, fine paintbrushes, chalk, charcoal, or laser printer are synonym under matter, if the matter is misspelled then these pencils, fine paintbrushes, chalk, charcoal, or laser printer are retrieved by on the relationship of synonym or children) (col. 9, lines 39-48).

As to claim 8, Hennessey teaches the method recited in claim 5, wherein the plurality of names includes the synonym for the first name; and wherein the synonym for the first name comprise an acronym of the concept (ink is different or an acronym with pencils, fine paintbrushes, chalk, charcoal, or laser printer are synonym under matter) (col. 9, lines 39-48) or a translation into different language than a language of the first name corresponding to the first concept.

As to claims 9, 19, 29 and 39, Hennessey teaches further comprising the step of adding a name to the plurality of names based on the data included in the request (col. 6, lines 9-21).

As to claims 10, 20, 30 and 40, Hennessey teaches the method of claim 1, wherein the entities include at least one of a set of products of the enterprise, a set of services of the enterprise and a set of activities of the enterprise (pencils, fine paintbrushes, chalk, charcoal, or laser printer is one of the plurality of enterprise products) (col. 9, lines 39-48).

As to claims 11, 21, 31 and 41, Hennessey teaches the method of claim 10, wherein the entities include the set of activities of the of the enterprises; and wherein the set of activities of the enterprise include at least one of administration, research, marketing (advertising) (col. 1, lines 35-37), joint ventures and documentation.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2162

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith et al. (Pub. No. US 2004/0015503 A1) Pub. Date: 01/22/2004.

Khan (Pub. No. US 2001/0056395 A1) Pub. Date: 12/27/2001.

Bettels (US. Patent No. 5,678,045) Patent Date:  
10/14/1997.

#### ***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) –273-8300 [Official Communication]




Application/Control Number: 09/908,947  
Art Unit: 2162

Page 8

BQ To

January 7th, 2006



JEAN M. CORRIELLUS  
PRIMARY EXAMINER